

Message

From: Darwin, Henry [darwin.henry@epa.gov]
Sent: 11/2/2018 4:16:01 PM
To: Tomiak, Robert [tomiak.robert@epa.gov]
CC: Traylor, Patrick [traylor.patrick@epa.gov]; Wehrum, Bill [Wehrum.Bill@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]; Lopez, Peter [lopez.peter@epa.gov]; Tyler, Tom [Tyler.Tom@epa.gov]; Harlow, David [harlow.david@epa.gov]
Subject: RE: Limetree Bay Terminal (LBT) Status Update 11/2/2018

Thank you Rob, and team. I really appreciate the update and continued efforts. If there's ever anything I can do to help, please let me know.

Henry

From: Tomiak, Robert
Sent: Friday, November 2, 2018 11:42 AM
To: Darwin, Henry <darwin.henry@epa.gov>
Cc: Traylor, Patrick <traylor.patrick@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Lopez, Peter <lopez.peter@epa.gov>; Tyler, Tom <Tyler.Tom@epa.gov>; Harlow, David <harlow.david@epa.gov>
Subject: Limetree Bay Terminal (LBT) Status Update 11/2/2018

Henry,

Significant support to LBT on a multitude of permit related issues and questions from R2 and OAR. As we close in on a meeting of minds with LBT on what permits and other determinations they require from us and other resource agencies, we have started constructing a Gantt chart to identify and map out critical path and to express process milestone dates required to help LBT stay on their schedule. Bi-weekly update provided below.

Thanks, Rob

Limetree Bay Terminals St. Croix project update 11/02/2018

Deliberative Process / Ex. 5

From: Tomiak, Robert
Sent: Friday, October 12, 2018 12:23 PM

To: Darwin, Henry <darwin.henry@epa.gov>

Cc: Traylor, Patrick <traylor.patrick@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Lopez, Peter <lopez.peter@epa.gov>; Tyler, Tom <Tyler.Tom@epa.gov>; Harlow, David <harlow.david@epa.gov>

Subject: Limetree Bay Terminal (LBT) Status Update 10/12/2018

Henry,

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Enforcement/Investigatory / Ex. 7(a); Ex. 5

Enforcement/Investigatory / Ex. 7(a); Ex. 5

Update below. Please let me know if you'd prefer additional details or a brief.

Thanks, Rob

Limetree Bay Terminals St. Croix project update 10/12/2018

- **Enforcement/Investigatory / Ex. 7(a)**

- **Enforcement/Investigatory / Ex. 7(a); Ex. 5**

From: Darwin, Henry

Sent: Friday, October 05, 2018 1:07 PM

To: Tomiak, Robert <tomiak.robert@epa.gov>

Cc: Traylor, Patrick <traylor.patrick@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Lopez, Peter <lopez.peter@epa.gov>; Tyler, Tom <Tyler.Tom@epa.gov>; Harlow, David <harlow.david@epa.gov>

Subject: RE: Limetree Bay Terminal (LBT) Status Update 10/5/2018

Thank you Rob for the update and the continued work on this. I agree that bi-weekly will be fine.

Henry

From: Tomiak, Robert

Sent: Friday, October 5, 2018 10:54 AM

To: Darwin, Henry <darwin.henry@epa.gov>

Cc: Traylor, Patrick <traylor.patrick@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Lopez, Peter <lopez.peter@epa.gov>; Tyler, Tom <Tyler.Tom@epa.gov>; Harlow, David

<harlow.david@epa.gov>

Subject: Limetree Bay Terminal (LBT) Status Update 10/5/2018

Henry,

I'm confident now that our cross-agency team has an extremely good handle on all aspects of this project and its major milestones and dependencies; to even include those actions required of other organizations.

Enforcement/Investigatory / Ex. 7(a); Ex. 5

Enforcement/Investigatory / Ex. 7(a); Ex. 5

Deliberative Process / Ex. 5

Enforcement/Investigatory / Ex. 7(a); Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks, Rob

Limetree Bay Terminals St. Croix project update 10/5/2018

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Enforcement/Investigatory / Ex. 7(a); Ex. 5

Enforcement/Investigatory / Ex. 7(a); Ex. 5

Deliberative Process / Ex. 5

From: Tomiak, Robert

Sent: Friday, September 28, 2018 11:13 AM

To: Darwin, Henry <darwin.henry@epa.gov>

Cc: Traylor, Patrick <traylor.patrick@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Lopez, Peter <lopez.peter@epa.gov>; Tyler, Tom <Tyler.Tom@epa.gov>; Harlow, David <harlow.david@epa.gov>

Subject: Limetree Bay Terminal (LBT) Status Update 9/28/2018

Henry,

Weekly status update provided below. As briefly mentioned yesterday on our way to the OFD brief, OECA reinforced with the LBT principal and lead counsel last Friday that EPA established a senior working group to provide dedicated and timely assistance; however, they must provide information previously requested which is critical to our/DOJ's ability to help them quickly resolve issues and questions related to the Consent Decree. Our team remains focused on seeking LBT's additional potential plans and conceptual ideas related to "expansion/modification" so that we can determine what else might be required of us, or other organizations, and how we can assist. Please advise if you have any questions or would like an in-person brief.

Thanks, Rob

Limetree Bay Terminals St. Croix project update 9/28/2018:

• **Deliberative Process / Ex. 5**

• **Deliberative Process / Ex. 5**

Enforcement/Investigatory / Ex. 7(a); Ex. 5

Enforcement/Investigatory / Ex. 7(a); Ex. 5

Deliberative Process / Ex. 5

From: Tomiak, Robert

Sent: Friday, September 21, 2018 1:13 PM

To: Darwin, Henry

Cc: Traylor, Patrick ; Wehrum, Bill ; Bolen, Brittany ; Lopez, Peter ; Tyler, Tom ; Harlow, David

Subject: Limetree Bay Terminal (LBT) Status Update 9/21/2018

Henry,

LBT status update provided below; the team we assimilated is up and running with a significant degree of cross-organizational coordination and communication within their areas of expertise. In particular, Flaire Mills (R2 ORC) has been invaluable to our team effort. Please advise if you have any questions or would like an in-person brief.

Thanks, Rob

Limetree Bay Terminals St. Croix project update 9/21/2018:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Enforcement/Investigatory / Ex. 7(a); Ex. 5

Enforcement/Investigatory / Ex. 7(a); Ex. 5

Deliberative Process / Ex. 5

From: Tomiak, Robert

Sent: Friday, September 14, 2018 12:23 PM

To: Darwin, Henry <darwin.henry@epa.gov>

Cc: Traylor, Patrick <traylor.patrick@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Lopez, Peter <lopez.peter@epa.gov>; Tyler, Tom <Tyler.Tom@epa.gov>; Harlow, David <harlow.david@epa.gov>

Subject: Limetree Bay Terminal (LBT) Status Update 9/14/2018

Henry,

My first recurring weekly status update is provided below. I will aim for Fridays, unless you or Andrew have a preference/need for a different frequency and/or different point in the week. I will also end each update with a proposed summary that you can forward to AW at your discretion so that he is prepared to respond quickly to a no-notice inquiry. I'll keep future updates shorter (3-4 bulleted highlights or so), but please advise if you'd prefer a format other than what I have provided today. There is also a lot of detail behind each piece, so we are prepared to brief you in person with little notice if you'd like a deeper dive or have questions at any point. R2, OECA and OAR staff have invested a significant amount of time digging into the details; which certainly made getting up to speed much easier. I've copied Bill, Patrick, David, and Pete out of courtesy and appreciation....which I'd ask make it back down to their staff (and if any of you would like to be dropped from future updates, please let me know offline).

I've also attached R2's more recent issue paper/fact sheet for reference.

Thanks, Rob

Limetree Bay Terminals St. Croix project update 9/14/2018:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Darwin, Henry

Sent: Wednesday, August 29, 2018 4:33 PM

To: Lopez, Peter <lopez.peter@epa.gov>

Cc: Traylor, Patrick <traylor.patrick@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Tomiak, Robert <tomiak.robert@epa.gov>

Subject: Limetree

Pete:

Acting Administrator Wheeler and I have asked the Office of Policy to engage their Office of Federal Activities to lead in the coordination of the Limetree matter. The Director, Rob Tomiak, has agreed to serve as EPA's project manager who will be the primary point of contact for Limetree in helping to connect them with the federal programs and offices they must involve to resume operations. Please inform your team to fully cooperate with Rob in these efforts.

If you have any questions, please let me know.

Thank you.

Henry